

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA) CAUSE NO. 3:04-CR-240-P
 (
vs.)
 (MAY 27, 2009
) DALLAS, TEXAS
ABDULRAHAM ODEH (2:00 P.M.

SENTENCING

BEFORE THE HONORABLE JORGE A. SOLIS
UNITED STATES DISTRICT JUDGE

A P P E A R A N C E S

FOR THE GOVERNMENT: UNITED STATES ATTORNEY'S OFFICE
1100 COMMERCE, 3RD FLOOR
DALLAS, TEXAS 75242
BY: MR. JIM JACKS
MR. BARRY JONAS
MS. ELIZABETH SHAPIRO
MR. WALT JUNKER

FOR THE DEFENDANT: MR. GREG WESTFALL
(ODEH) WESTFALL, PLATT & CUTRER
ONE SUMMIT AVENUE, SUITE 910
FORT WORTH, TEXAS 76102
BY: MR. GREG WESTFALL

1 THE COURT: Mr. Westfall, are you ready to proceed?

2 MR. WESTFALL: Yes, Your Honor.

3 THE COURT: And Mr. Jonas, you are ready to proceed
4 on this case?

5 MR. JONAS: Yes, sir.

6 THE COURT: And you are Abdulrahman Odeh?

7 THE DEFENDANT: Yes, sir.

8 THE COURT: Come on up to the podium with
9 Mr. Westfall.

10 And Mr. Odeh, you were convicted by a jury back on
11 November 24th, 2008 on three separate counts--conspiracy to
12 provide material support to a foreign terrorist organization,
13 one count of conspiring to provide funds, goods, and services
14 to a specially designated terrorist, and then one count of
15 conspiracy to commit money laundering.

16 We are now here on a sentencing hearing. The Probation
17 Office has prepared a presentence report, an addendum to the
18 presentence report, and then a second addendum to the
19 presentence report that I believe Mr. Westfall just went over
20 with you.

21 And have you had the opportunity to review these
22 presentence reported with Mr. Westfall your attorney?

23 THE DEFENDANT: Yes, Your Honor.

24 THE COURT: And do you understand all of the
25 information that is contained in these reports?

1 THE DEFENDANT: Yes, Your Honor.

2 THE COURT: And Mr. Westfall, you have explained
3 these reports to your client?

4 MR. WESTFALL: Yes, Your Honor.

5 THE COURT: And you are satisfied that he
6 understands the information in these reports?

7 MR. WESTFALL: I am.

8 THE COURT: You filed some objections, and we will
9 get to those momentarily.

10 Mr. Jonas, I believe the Government filed no objections.
11 Is that still your position?

12 MR. JONAS: Yes, sir.

13 THE COURT: And Mr. Westfall, I will hear from you
14 on your objections.

15 MR. WESTFALL: Well, Your Honor, like everyone else,
16 I would like to incorporate all the arguments made by counsel
17 and all the objections, both written and oral, that they made,
18 and have the Court rule on those as though we had made them as
19 well.

20 THE COURT: And you may have those arguments, yes,
21 sir.

22 MR. WESTFALL: Thank you, Your Honor.

23 Of course we have our written objections that the Court
24 can rule on based upon the arguments.

25 I did have two things I wanted to address on the

1 Sentencing Guidelines. Would you like me to do that now?

2 THE COURT: Yes.

3 MR. WESTFALL: Otherwise if I am not mentioning it
4 now, it is just the written objections, and the Court --

5 THE COURT: And the previous arguments that were
6 made?

7 MR. WESTFALL: Right. And the Court can rule on
8 those.

9 And this is going to bleed-over a little bit into the
10 3553 factors, which I filed a motion/memorandum briefing the
11 Court on that. But I would like to speak a little bit about
12 the role -- the mitigating role enhancement or the mitigating
13 role provision.

14 And there is also overlap there with 2M5.3(b), which is a
15 two level enhancement, Your Honor, that we object to that
16 comes in the terrorism Guideline. And the words in there, "It
17 was reasonably foreseeable to each Defendant that any funds
18 sent to Hamas would be used to further their violent agenda of
19 jihad against the Jewish community," and, you know, based upon
20 the wiretaps and the bank records, and in particular this one
21 transaction with Marzook.

22 The thing about that and what sets Abdulrahman Odeh apart
23 is that he never knew Marzook. He wasn't at the Philadelphia
24 conference. There is -- You know, I don't want to be not
25 putting things into context, so I can name the evidence.

1 The phone call January 22nd where he was happy about this
2 operation. He had a book on how Hamas is treated in the
3 Jewish press. He had this picture of Sheikh Yassin that was
4 on a poster, a cut-out picture of Khalid Mishal and Nasrallah,
5 and Qaradawi, the newspaper picture. And these were the
6 things that Odeh had.

7 The things he didn't have was membership in the Muslim
8 Brotherhood, membership in the Palestine Committee, any
9 evidence that he had ever seen any of these documents and knew
10 like what -- It might have been Mr. Jonas earlier talking
11 about the UASR and the HLF and all that were kind of
12 interlocking -- he didn't know any of that. He is not privy
13 to any of that, Your Honor.

14 So is it reasonably foreseeable to him when this money
15 gets sent to zakat committees that he didn't even know about,
16 that it was going to be used for violent purposes? And I
17 think not. And that right there is the reason why we are
18 arguing for the role reduction, in addition to the two-point
19 thing.

20 If we say worst case scenario, worst case scenario, that
21 Abdul Odeh, it is just hard to imagine the evidence other than
22 being around. He is in a videotape, one of these videotapes
23 that we saw -- I don't know if we saw it in the second trial.
24 We saw it in the first trial where he is in the audience
25 before he is ever an employee of the Holy Land Foundation. He

1 is the guy that hands out the little envelopes. And, you
2 know, he is convicted of conspiracy, but that is the whole
3 reason for the role differentiation is so that everyone that
4 gets convicted of a conspiracy, their role in the conspiracy
5 can be sorted out.

6 And at first, of course, he was given a manager
7 enhancement, which everyone agreed that didn't apply. But I
8 believe that a reduction below zero applies, because when we
9 compare him to certainly everyone else in this case, I mean,
10 Mr. Shorbagi didn't recognize him, the only one here that
11 Mr. Shorbagi didn't even recognize.

12 We would go for a week without hearing Abdulrahman Odeh's
13 name in this trial, and he is a footnote in this story, and
14 that is the reason why I wanted to elaborate a little bit
15 further, not only on the two-level 2M5.3(b) enhancement, but
16 lack of reduction for role.

17 THE COURT: Okay. Are there any other objections
18 affecting the calculation of the Guidelines that you wish to
19 address, Mr. Westfall, besides what you have in writing?

20 MR. WESTFALL: No, Your Honor, other than just to
21 point out that in the Government's memorandum they actually
22 don't even put that two-level enhancement for 2M5.3 in theirs.
23 I mean, they come up with a level 38, so that is all.

24 THE COURT: Mr. Jacks?

25 MR. JACKS: Your Honor, I believe the Court this

1 morning, and if I am following the discussion, the Court
2 sustained the objection to that objection regarding the pieces
3 of steel and that transaction.

4 THE COURT: Correct. Yes. I am not considering
5 that. That is pre-designation conduct, so I don't think that
6 is properly considered.

7 MR. JACKS: And then with regard to the role in the
8 offense, the Government has acknowledged that he is not
9 entitled to an upward adjustment, but certainly there is more
10 to his involvement than just comparing him to his
11 co-Defendants. There is also a comparison to other persons
12 and conspirators involved, and we stand by our position that
13 he is not entitled likewise to a downward adjustment as a
14 minimal participant.

15 He was the manager of an office, one of only a few
16 offices that this organization operated outside of Richardson,
17 and so he certainly is not something -- his role certainly
18 would not be minimal when compared to that of all the persons
19 involved in this organization and in this conspiracy.

20 THE COURT: He is also arguing on that two-level
21 enhancement for the purchasing of the weapons, that his role
22 in the offense was such that he would not have had reason to
23 believe that that money would be used to purchase weapons
24 under 2M5.3(b). To you want to address that?

25 MR. JACKS: Well, Your Honor, the laws of conspiracy

1 certainly state that if you join a conspiracy, you adopt
2 whatever actions and overt acts were committed prior to your
3 joining the conspiracy, and I would submit that his knowledge,
4 as has been found by the jury of what this organization was
5 about, what it was created for, who they were supporting, and
6 what that organization was engaged in is the same as all other
7 Defendants, and that for that reason the enhancement or the
8 adjustment should likewise apply to him.

9 THE COURT: Mr. Westfall, anything else on that?

10 MR. WESTFALL: Yes, Your Honor.

11 When we are looking at a jury issue on conspiracy that is
12 true. But once we get to sentencing, there is several places
13 in the Guidelines where we start making distinctions between
14 the conspirators. And that is the whole nature of the role
15 adjustment, as well as all of the 2B1.1, I believe, the
16 hypotheticals there as to what can even be relevant conduct
17 and what can't. And I think that the 2M5.3(b) is another one
18 of those where, you know, distinctions should be made between
19 conspirators once we get to this stage.

20 THE COURT: All right. And I agree that we have to
21 look at the evidence individually, but I also agree with
22 Probation that the enhancements were properly applied in this
23 case based on the evidence.

24 You pointed out correctly most of the evidence that was
25 here that related directly to Mr. Odeh. He was in that video

1 prior to the time he was hired, and that was prior to the
2 designation because I believe he was hired in 1994, so prior
3 to the designation. And at this particular conference, of
4 course, they are raising money for Hamas, there are speakers
5 praising Hamas, and he is clearly aware of Hamas.

6 And then the items that were found in his office, he is
7 clearly aware of Hamas, he is aware of what they do. The
8 phone conversation where they are praising the suicide bombing
9 attack. So clearly he is aware of Hamas, and I think based on
10 the evidence that is there he was aware of what HLF was doing
11 and what its purpose was. And then after that he gets hired.

12 And then after they get designated, which is more notice
13 that Hamas now is a problem organization that you are not
14 supposed to be supporting, of course he continues to work for
15 the HLF, and I think at that point the evidence is clear that
16 he has to be aware of the connection between HLF and Hamas.

17 So I believe there was reason to believe, which I believe
18 is the language of the enhancement, reason to believe that
19 money could go to purchase that. No question he may not have
20 known where all the money was going or what it was doing, but
21 I believe there is ample evidence to sustain a finding that
22 there was reason to believe that some of that money could have
23 been used by Hamas for doing things that they do, the illegal
24 things.

25 And then because he was a manager and because of those

1 facts that I have just stated, I don't think an adjustment for
2 mitigating role in the offense is appropriate in this case.
3 He was a manager, even though there wasn't a lot of authority
4 with that, but he was heading up one of the few offices that
5 HLF had. He did that for a number of years, including after
6 the designations were made. So I think Probation correctly
7 calculated the Guidelines with respect to those issues.

8 And with respect to other objections that you had that
9 had been previously made, the Court's ruling will be the same
10 for the reasons that I stated. I think the Probation Office
11 correctly calculated the Guidelines in this case. So the
12 Court's rulings will be the same.

13 On that basis we have an offense level of 40 and a
14 Criminal History Category of VI, and then the Guideline range
15 of 360 months to life.

16 And I will hear from you, Mr. Westfall.

17 MR. WESTFALL: Thank you, Your Honor.

18 I have filed a motion for downward departure on two
19 grounds, one of which Ms. Cadeddu argued very eloquently and,
20 I mean, that is the Category VI, overstating criminal history,
21 because Abdul Odeh is in the same boat. He has never been
22 arrested in his life until now. So I would incorporate her
23 arguments, not to take up anymore of the Court's time on that.

24 As to the factors, the 3553 factors, Your Honor, yes, he
25 was a manager, Odeh was one of I guess--I have them listed in

1 my memo to you--maybe seven or eight managers that worked at
2 Holy Land during different periods of time. And one thing of
3 course -- well, two things set him apart. Number one, he is
4 here and they are not. But number two, Odeh was personally
5 and deeply involved in relief missions. And I sent the Court
6 the video of that again, and everyone else, as well as
7 descriptions, you know, just to refresh the Court's memory of
8 some of which we saw at trial, some of which we didn't.

9 But these missions didn't just go to -- In fact they
10 didn't go to Palestine at all. Odeh has never been in
11 Palestine since he left when he was a child. They went to
12 Kosovo, they went to Egypt where they did help Palestinians in
13 a refugee camp, Jordan where he helped Palestinians in a
14 refugee camp. But Kosovo, those were Albanians. They weren't
15 even Palestinians. There is no Hamas in Kosovo. And
16 certainly, you know, New Jersey helping the people there from
17 the community.

18 When you look at those videotapes, you don't get this is
19 done under the banner of Hamas. So there is something else
20 going there, something else going on besides Odeh taking part
21 of this elaborate charade to keep the Holy Land Foundation,
22 you know, going so that it is secret. And what you see in
23 those pictures is that Odeh genuinely cares about helping
24 these people. He genuinely, genuinely does. And it doesn't
25 matter if they live in New Jersey or Kosovo or Palestine.

1 He is Palestinian. And that is the kind of context, you
2 know, when we listen to that phone call from -- which, by the
3 way, that was before designation, too; not long before, but it
4 was before. In fact, that particular attack probably is the
5 final straw to get them designated. But, you know, the
6 context is that he is Palestinian, and his father did lose his
7 hand in the '48 war fighting against the Israelis. And, I
8 mean, there is context on both sides.

9 But when you look at the photographs and you look at
10 those videotapes, what you see is a person, a human being that
11 wants to help other human beings. And that is the person that
12 I have gotten to know.

13 And I think, you know, from the standpoint of 3553
14 factors, Odeh, he doesn't have awards. What he did, he drove
15 a limousine before he started working with the Holy Land
16 Foundation, and then when the Holy Land Foundation was shut
17 down he started working in a convenience store. He is a
18 humble man. He has got a college education, and he has got
19 two parents that are alive, and he has got a daughter and two
20 sons. But he is and always has been a humble man who -- you
21 know, he is with the Holy Land Foundation to help people, and
22 he did a lot of helping people. He is the only one, you know,
23 here that actually went away on these relief missions. And
24 you know, in addition to everything else, Your Honor, we just
25 ask that you take that into consideration.

1 And like I said earlier, they may argue he is an
2 important player, but in the grand scheme of things he is a
3 small player in this, I mean, truly. And we just would ask
4 for a sentence that would reflect that and reflect the good
5 things that he did.

6 THE COURT: Thank you.

7 Mr. Odeh, you are entitled to speak in your behalf.

8 THE DEFENDANT: (Blessing in Arabic) In the name of
9 Allah, the merciful benefactor, the merciful redeemer. Praise
10 be to Allah, Lord of the universe, and peace and prayers be
11 upon his final prophet and messenger Muhammad.

12 My Lord, grant me knowledge and wisdom. Make my task
13 easy for me. Lose and remove the impediment of my speech so
14 that they may understand what I say.

15 Before I start I want to express my deepest gratitude and
16 appreciation to my mother Lutifeyah and to my father
17 Abdulkarim, which is not here, and my daughter Leena and my
18 son Mohamad and my son Abdelkareem. He is not here. Thank
19 all of you for your unconditional love and unwavering support.

20 At the very outset I, Abdulrahman Odeh, would like to
21 declare my innocence today in open court before the Judicial
22 Branch of government, the Executive Branch of government, the
23 Legislative Branch of government, and to all witnesses who are
24 present today. It was never proven at trial that I had
25 anything to do with Israel or any financial connections

1 supporting terrorist acts toward Israel or any other country.
2 I was only expressing my belief under the First Amendment of
3 the U.S. Constitution, the right to free speech.

4 Never did I have any mens rea or act in aiding terrorist
5 groups, nor did I help aid any terrorist organization. I
6 stand before you today, Your Honor, on the scale of balance,
7 which has been tilted, asking to be weighed with equilibrium
8 based upon the facts of this case, and not the conjecture of
9 theories of the Executive Branch of government.

10 I ask that this Court remove the veil of justice and
11 allow truth to enter in. The facts of my position in this
12 case are simple.

13 In the earlier stage of my life at the age of 13 I was
14 placed with enormous responsibility of extending a helping
15 hand to my family and other people. For you see, my father
16 had his arm amputated. This led to my father having
17 difficulty finding work and maintaining consistent income. I
18 truly believe from this experience, and oftentimes destitute
19 environment, grew a young man who felt compelled as well as a
20 sense of responsibility to ensure that people who were less
21 fortunate in life could have an opportunity to pursuit of
22 happiness.

23 So I impart upon this lifelong journey of giving and
24 extending a helping hand to my family and all mankind by
25 joining and working for the Holy Land Foundation for Relief

1 and Development.

2 My relationship with the Holy Land Foundation was an
3 expression of my belief and faith in God as a Muslim.
4 Afforded to me under the United States Constitution and the
5 First Amendment I am reminded of scripture of the holy Quran,
6 Surah Al-Insan, which is in human being, verses 8 and 9, which
7 says, "And they feed for the love of Allah the indigent, the
8 orphan, the captive, saying, 'We feed you for the sake of
9 Allah alone, nor a word do we desire from you, nor thanks.'
10 And the Prophet Muhammad, peace be upon him, said, 'All my can
11 spread peace, feed others, and keep relationship with
12 relatives.'"

13 My efforts with the Holy Land Foundation allowed me to
14 provide assistance to thousands of needy Palestinians in the
15 field of education, health, social, and emergency relief, and
16 to give services to others through charitable organization
17 such as the Red Cross of Relief Missions, the World Food
18 Program, the Salvation Army, the Food Coalition of Passaic
19 County in New Jersey which was formed -- churches, synagogues,
20 mosques, and other religions and communities.

21 I was also responsible for helping to feed 250 American
22 families by establishing a food pantry in New Jersey on a
23 monthly basis while working with the New Jersey Food Bank and
24 FEMA, and dealing with a orphanage shelter in Wayne, New
25 Jersey.

1 My involvement of charitable work here in the United
2 States gave me an opportunity to extend my philanthropy
3 globally. God allowed me to join the international family of
4 giving and impressing other charitable causes such as the
5 international cooperation with the World Food Program of the
6 United Nations, relief missions in Egypt, Albania, and Jordan
7 where we feed the underprivileged adults and children.

8 I have not experienced an aberration of behavior and
9 still strongly believe in my intent and innocence.

10 One day, Your Honor, we all shall be judged by a much
11 higher court. One day we all shall be judged by a much higher
12 court, which shall be the universal court of God. And on that
13 day we will all ask to be judged by God with the rule of
14 mercy. You, Your Honor, have the opportunity in this life to
15 rule with that mercy which has been bestowed by God.

16 We are five innocent men. We were internally touched by
17 their five senses to extend the helping hand to give charity
18 to all mankind.

19 In closing, I would like to thank God and my family,
20 especially my beloved father. I want to thank you for raising
21 me as a young man with high moral values and for sacrificing
22 so much of yourself to raise me and all of my brothers and
23 sisters. Even though your hand was amputated as a result of
24 the occupation, you still never gave up, and worked so hard
25 throughout your life to make sure that your family was taken

1 care of.

2 To my beloved mother, I love you. Thank you for bringing
3 me to life and giving me your tender love. Thank you for
4 instilling in me the love of my birthplace Palestine. Thank
5 you for teaching me how to love and give.

6 To my lovely daughter a Leena, I am so proud of you.
7 Your unconditional love and support for me, and your brothers,
8 too, through this difficult time has been branchless just like
9 you. It was my dream to see you successful in life and to
10 attend your wedding. I am sorry that I could not be there
11 because this case prevented me from sharing this joyful and
12 happy occasion. I promise you I will make it up for you,
13 sweetheart.

14 To my son Abdulkareem, I am so proud of you. I am so
15 proud of your early maturity. I know you will follow my
16 footsteps in making or taking care of yourself and your
17 younger brother Mohamad. I am sorry I couldn't attend your
18 high school graduation because of this case.

19 To my beloved son Mohamad, even though you are only 16,
20 even though you are only 16 years old, I believe that I have
21 taught you how to take care of yourself, and I know you will
22 have a bright future and be successful in your life.

23 And I want to thank my counsel Mr. Greg Westfall and his
24 family for his hard work and dedication, and I would like to
25 pay my respects to all the Defendants' team. I don't have to

1 name you.

2 And I would like to thank all my friends for their
3 continuous support through this trial, especially Diana Wood,
4 I don't know if she is here, and all the others, I couldn't
5 mention all of them by name because of the time of court. And
6 most of all, I would like to thank who believes in the gift of
7 giving. May Allah forgive us, have mercy on us, be pleased
8 with us, accept from us and set right all our affairs amen.

9 THE COURT: Thank you.

10 Mr. Jonas or Mr. Jacks?

11 MR. JACKS: Your Honor, the Court has heard the
12 evidence and the responses of the Government, and I will not
13 repeat them at this time.

14 There is no question that this Defendant was the least
15 culpable of the other five individual Defendants, and the
16 Government just asks the Court to sentence him accordingly.

17 THE COURT: Thank you.

18 Mr. Westfall, anything else?

19 MR. WESTFALL: I would join in that, Your Honor.

20 THE COURT: And I agree. I agree that Mr. Odeh was
21 the least culpable of the five individuals, the least
22 evidence.

23 No question, though, Mr. Odeh -- I don't agree with you
24 that we have had five innocent men here. The jury didn't
25 agree with that. And there was plenty of evidence to show

1 that you were in fact involved with Holy Land Foundation,
2 which was shown by a lot of evidence, to be closely connected
3 with Hamas. And from the evidence that was presented, it
4 appears you knew that and were aware of that. And of course
5 it was designated and you continued your employment with them
6 after it was designated.

7 But you were involved -- There was the least money that
8 you were involved in. You were in the organization the least
9 amount of time as compared to the other Defendants, you
10 weren't at those skits performing, skits about killing Jews
11 and killing Israelis.

12 And also I think it is worth noting here, and Mr.
13 Westfall, you pointed this out from the beginning, all of the
14 information, the evidence that was presented during the trial
15 and here as far as the legitimate charity that it looks like
16 HLF was doing appeared to be done by Mr. Odeh; that none of
17 the other Defendants appeared to be involved in any of that,
18 and I think that is another plus as far as weighing the
19 comparative responsibility and culpability of the Defendants.

20 So considering the factors of 3553(e), the nature of the
21 offense that you were involved in, the terrorist enhancements
22 that are properly applicable here, Mr. Odeh, and your role,
23 which is less than the other Defendants, I think a sentence
24 that will be sufficient to carry out the purposes of 3553(e)
25 but not greater than necessary, it will be the judgment of the

1 Court that you be sentenced to 15 years in the custody of the
2 U.S. Bureau of Prisons.

3 That will be followed by a three-year term of supervised
4 release.

5 I will not order a fine.

6 Restitution doesn't apply.

7 There is a \$100 per count mandatory special assessment
8 that has to be imposed in each case. That will be imposed in
9 your case.

10 Following your release from custody you will be on this
11 supervised release for three years. You have certain
12 conditions that you have to follow while you are on this
13 supervised release. The Probation officer will explain these
14 to you.

15 Among the conditions are that you not commit any other
16 violations of law, whether it be federal, state, or local law;
17 that you not illegally possess or use any type of a controlled
18 substance; that you cooperate in the collection of DNA as
19 directed by your Probation Officer; that you not possess a
20 firearm, ammunition, destructive device, or any other
21 dangerous weapon.

22 Provide to your Probation officer any requested financial
23 information. Do not enter into any self-employment while
24 under this supervised release.

25 And then lastly, following your release from custody

1 report in person to the Probation Office in the district where
2 you are released. Report within 72 hours of your release.
3 They will get you started on this supervised release, go over
4 these conditions of supervised release with you.

5 I need to advise you that you have the right to appeal
6 the jury verdict that was rendered against you as well as the
7 decisions that I have made here today, the sentence that I
8 have imposed.

9 If you don't have the means to hire an attorney to
10 represent you on appeal, we will appoint an attorney to
11 represent you at no cost to you.

12 You will be entitled to a copy of the transcript of the
13 trial as well as today's hearing, and all of the hearings that
14 we have held, for your use in the appeal. They will be
15 provided at no cost to you as well.

16 If you wish to exercise your right of appeal, you can
17 speak with Mr. Westfall your attorney about doing that.

18 Mr. Westfall, anything else that we need to address at
19 this time?

20 MR. WESTFALL: Your Honor, would you please enter
21 the same order keeping him here as well during the pendency of
22 the appeal?

23 THE COURT: We will make that order pursuant to Rule
24 38.

25 And we have the forfeiture language, Mr. Odeh, that you

1 were convicted of the money laundering count, and so there
2 will be a money judgment entered against you in the amount of
3 \$12,400,000, as the jury found. You will be ordered to be
4 liable for that jointly and severally along with the other
5 three other co-Defendants that were convicted of the money
6 laundering; three others, total of four. So you will be
7 jointly and severally liable with them, and that will be part
8 of the judgment, and a money judgment will be entered against
9 you to that amount.

10 MR. JONAS: Your Honor, it is four because of the
11 corporation is also.

12 THE COURT: The corporation. That is right. HLF,
13 which is defunct, but you are correct.

14 Mr. Westfall, anything else?

15 MR. WESTFALL: No, Your Honor.

16 THE COURT: Mr. Jonas or Mr. Jacks, anything from
17 the Government on this one?

18 MR. JACKS: Your Honor, I know you said you
19 pronounced the sentence of 15 years, but how each count is --

20 THE COURT: You are correct. And I said 20 years.
21 I didn't break it down by counts. Fifteen years on Count 1,
22 10 years on Count 2, 15 years on Count 11. I got those wrong.
23 Fifteen years on Count 1, 10 years on Count 11, and then 20
24 years -- is that Count 22, the money laundering conspiracy?

25 MR. JONAS: Yes, sir.

1 THE COURT: That will be 15 years on that. They
2 will all run concurrently with each other for a total of a
3 15-year sentence.

4 Anything else?

5 MR. JACKS: No, Your Honor.

6 THE COURT: Mr. Westfall?

7 MR. WESTFALL: No, Your Honor.

8 THE COURT: Mr. Odeh, you are remanded to the
9 custody of the Marshal, then, to serve your sentence.

10 Let me see counsel. And Ms. Hollander, is she in here?

11 MS. MORENO: She had to catch a plane, Your Honor.

12 THE COURT: Okay. Ms. Duncan went with her?

13 MS. MORENO: Yes. Did you want to see us?

14 THE COURT: Yes, let me see counsel up here.

15 (End of hearing.)

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1 I HEREBY CERTIFY THAT THE FOREGOING IS A
2 CORRECT TRANSCRIPT FROM THE RECORD OF
3 PROCEEDINGS IN THE ABOVE-ENTITLED MATTER.
4 I FURTHER CERTIFY THAT THE TRANSCRIPT FEES
5 FORMAT COMPLY WITH THOSE PRESCRIBED BY THE
6 COURT AND THE JUDICIAL CONFERENCE OF THE
7 UNITED STATES.

8
9 S/Shawn McRoberts

06/22/2009

10 _____DATE_____
11 SHAWN McROBERTS, RMR, CRR
12 FEDERAL OFFICIAL COURT REPORTER
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